

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO: 7157 of 2005

Between:

Vasireddy Srinivasa Rao S/o. Venkataiah
R/o. Lakshmipuram Vilage, Kallur Mandal,
Khammam District.

.... PETITIONER

AND

The Executive Engineer, Panchayat Raj Division,
Kothagudem, Khammam District.

...RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more so a writ in the nature of Mandamus directing the respondent to implement the orders passed by the respondent on 22-9-2004 and to consider the representation made by the petitioner for implementation of the said orders and may pass such other order or orders as this Hon'ble Court may be pleased to deem fit and proper in the interest of Justice and equity.

Counsel for the Petitioner: MR.G.VASANTHA RAYUDU

Counsel for the Respondent: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court, at the stage of admission, made the following:

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.7157 OF 2005

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ORDER :

The petitioner was awarded the work of laying of road from Lachagudem to Arekayalapadu, Inkur Mandal under R.R.M. 2003-2004 by proceedings of the respondent dated 23-01-2004. It is stated that he has completed the entire work. It is also stated that the respondent has approved the work done and directed payment of Rs.3,72,818/-. In pursuance thereof, the Accounts Officer, Tekulapalli paid a sum of Rs.2,92,149/- on 29-10-2004, but the balance of Rs.80,669/- has not been paid so far. The petitioner made several representations, the latest being on 3-1-2005 requesting the respondent to pay the said amount. However, the respondent failed to respond. Hence, this writ petition.

I have heard the learned Counsel for both the parties and perused the material on record.

The learned Government Pleader for Panchayat Raj & Rural Development appearing for the respondent states that since the representation made by the petitioner dated 3-1-2005 requesting for payment of the balance amount is pending with the respondent, the same will be considered in accordance with law.

Having regard to the facts and circumstances, without expressing any opinion as to the entitlement of the petitioner for the amount claim, the Writ Petition is disposed of with a direction to the respondent to consider the request of the petitioner for payment of balance of Rs.80,669/- and to pass appropriate orders in accordance with law. It is made clear that in case there is any objection for payment of the said amount the same shall be communicated to the petitioner within a period of two weeks from the date of receipt of this order.

The Writ Petition is accordingly disposed of. No costs.

15th April, 2005.

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To

1. The Executive Engineer, Panchayat Raj Division,
Kothagudem, Khammam District.
2. 2 CCs to the GP for Panchayat Raj & Rural Development, High Court buildings,
Hyderabad (OUT)
3. 2 CD copies